

INITIAL APPEARANCE HEARINGS

2007

The following table presents information on the review of commitments by the Intake and Court Services Section of the Department of Corrections and Rehabilitation, Division of Juvenile Justice. Staff in the Intake and Court Services Section determine the offender's Board Hearing Category (BHC) and Potential Board Date (PBD) under guideline within the California Code of Regulations – Title 15, Division 4.5. The Board of Parole Hearings (BPH) reviews these determinations, and makes changes where necessary. During 2007, a total of 450 initial case reviews were conducted. In the case of parole violators and recommitments, BPH conducts the initial hearing concurrently with the parole revocation hearing and determines the PBD at the time. During 2007, there were 584 such hearings.

The time from a commitment's acceptance by the Division's Intake and Court Services Section to the assigned PBD, is referred to as the PBD interval. The table summarizes PBD intervals given at Initial Appearance hearings.

BPH has established seven categories of offenses (Board Hearing Categories) in order of seriousness, with Category I being the most serious. BPH has also established PBD guidelines for each category (e.g.; 84 months for Category I). Deviations are allowed based on the circumstances of each offense.

An offense may be listed in more than one category, depending upon the circumstances of the crime. For example, burglary while armed with a dangerous or deadly weapon *and* with substantial injury is in Category III; burglary while armed with a dangerous or deadly weapon *or* resulting in substantial injury is in Category IV; first degree burglary is in Category V; and second degree burglary is in Category VI.

The table shows the baseline PBD guidelines in effect in 2007; the number and percentage of offenders in each category; the average PBD time given for each category and offense; and the number of offenders whose PBD interval was below, at, or above the baseline PBD guidelines.

TABLE 1
PAROLE CONSIDERATION DATE INTERVALS AT INITIAL REVIEWS
BY PAROLE BOARD CATEGORY AND COMMITMENT OFFENSE
2007

CATEGORY AND COMMITMENT OFFENSE	TOTAL HEARINGS	PERCENT	AVERAGE MONTHS	BELOW GUIDELINE	AT GUIDELINE	ABOVE GUIDELINE
TOTAL	1,034	100.0	13.7	137	888	4
Total First Commitments	450	43.5	24.1	137	310	3
Category I (84 months)	17	1.6	68.7	8	9	-
Murder (First Degree)	12		69.3	6	6	-
Murder (Second Degree)	3		72.0	1	2	-
Extortion/Kidnapping	2		60.0	1	1	-
Category II (48 months)	65	6.3	38.0	32	33	-
Manslaughter (Voluntary)	3		36.0	1	2	-
Attempt/Assault to Murder	14		48.0	-	14	-
Rape	5		38.4	2	3	-
Lewd/Lascivious	37		34.5	26	11	-
Sodomy/Sex Perversion	3		33.7	2	1	-
Extortion/Kidnapping	2		48.0	-	2	-
Accessory	1		24.0	1	-	-
Category III (36 months)	47	4.5	33.2	8	38	1
Manslaughter (Gross Vehicular)	3		31.7	1	2	-
Robbery (Enhanced)	5		31.0	1	4	-
Robbery (Unenhanced)	4		36.0	-	4	-
Carjacking	20		33.3	4	15	1
Assault with Deadly Weapon	6		36.0	-	6	-
Discharge/Display Weapon	2		36.0	-	2	-
Burglary (First Degree)	1		12.0	1	-	-
Rape	1		36.0	-	1	-
Sodomy/Sex Perversion	2		27.0	1	1	-
Extortion/Kidnapping	3		36.0	-	3	-
Category IV (24 months)	151	14.6	21.5	38	113	-
Manslaughter (Involuntary)	1		24.0	-	1	-
Manslaughter (Vehicular)	1		12.0	1	-	-
Robbery (Enhanced)	28		22.6	6	22	-
Robbery (Unenhanced)	25		21.1	7	18	-
Carjacking	1		24.0	-	1	-
Assault with Deadly Weapon	67		22.0	13	54	-
Discharge/Display Weapon	9		24.0	-	9	-
Burglary (First Degree)	4		19.5	2	2	-
Burglary (Second Degree)	1		24.0	-	1	-
Rape	1		24.0	-	1	-
Narcotic Offenses	2		18.0	1	1	-
Marijuana Offenses	1		12.0	1	-	-
Dangerous Drug Offenses	4		18.0	2	2	-
Weapons	3		11.7	3	-	-
Arson	3		18.0	2	1	-
Category V (18 months)	112	10.8	15.5	48	62	2
Robbery (Enhanced)	6		17.2	1	4	1
Robbery (Unenhanced)	24		15.5	10	14	-
Attempted/Assault to Robbery	4		15.0	2	2	-
Assault with Deadly Weapon	35		15.9	13	21	1
Assault/Battery/Resisting	11		16.9	2	9	-
Misc Assault Offenses	4		12.0	4	-	-
Burglary (First Degree)	25		14.4	15	10	-
Burglary (Second Degree)	1		12.0	1	-	-
Vehicle Theft	1		18.0	-	1	-
Malicious Mischief	1		18.0	-	1	-

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Category VI (12 months)	57	5.5	11.9	3	54	-
Attempted/Assault to Robbery	1		12.0	-	1	-
Discharge/Display Weapon	2		12.0	-	2	-
Assault/Battery/Resisting	5		12.0	-	5	-
Destructive Device	1		12.0	-	1	-
Misc Assault Offenses	6		11.7	1	5	-
Burglary (Second Degree)	4		12.0	-	4	-
Attempted Burglary	1		12.0	-	1	-
Grand Theft/Fraud	3		12.0	-	3	-
Receiving Stolen Property	3		12.0	-	3	-
Vehicle Theft	11		11.8	2	9	-
Narcotic Offenses	2		12.0	-	2	-
Marijuana Offenses	1		12.0	-	1	-
Dangerous Drug Offenses	2		12.0	-	2	-
Weapons	6		12.0	-	6	-
Reckless/Hit and Run	1		12.0	-	1	-
Arson	1		12.0	-	1	-
Accessory	2		12.0	-	2	-
Misc Felonies	1		12.0	-	1	-
Malicious Mischief	4		12.0	-	4	-
Category VII (0-12 months)	1	0.1	12.0	-	1	-
Malicious Mischief	1		12.0	-	1	-
Parole Violator Returns (0-12 months)	579	56.1	5.6	-	578	1
Recommitments	5	0.5	23.2			